

## REMARKS/ARGUMENTS

Claims pending in the instant application are numbered 29-45. Claims 29-45 presently stand rejected. Claims 30-31 and 38 have been canceled without prejudice. Claims 29 and 36-37 have been amended herewith. The Applicant respectfully requests that the amendments be entered and that the instant application be reconsidered in view of the following remarks.

### *35 U.S.C. § 102 Rejections*

In the March 21, 2005 Office Action, claims 29-43 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takuya, JP Publication 10295081 (hereinafter Takuya).

With regard to a rejection under 35 U.S.C. § 102, MPEP § 2131.01 sets forth that

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)

Independent claim 29 as presently amended expressly recites:

... a resistor divider network coupled to generate at least a first input reference and a second input reference, the first input reference is greater than the second input reference, the first and second input references coupled to respective control terminals of the second and first transistors, respectively.

Takuya is directed to voltage-dividing circuit with a serial capacitor body. Takuya fails to disclose, teach or even fairly suggest the limitations summarized above as expressly recited in the Applicant's presently claimed invention. For example, Takuya fails to disclose, teach or fairly suggest a resistor divider network coupled to generate at least a first input reference and a second input reference. Therefore, Takuya also fails to disclose, teach or fairly suggest the first and second input references coupled to respective control terminals of the second and first transistors, respectively.

The remaining claims are dependent claims and therefore distinguish for at least the same reasons as their respective independent base claims in addition to adding further limitations of their own. Thus, the remaining claims are allowable by virtue of their dependence. Since Takuya fails to disclose, teach or fairly suggest expressly recited claim limitations, the Applicant respectfully requests that the instant section 102 rejections be withdrawn.

### *35 U.S.C. § 103 Rejections*

In the March 21, 2005 Office Action, claims 44 and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takuya. With regard to a rejection under 35 U.S.C. § 103, MPEP § 2143.03 sets forth that

If an independent claim is nonobvious under 35 U.S.C. 103, than any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

As summarized earlier, independent claim 29 of the instant patent application is distinguishable from Takuya because Takuya fails to disclose, teach or even fairly suggest the limitations summarized above as expressly recited in the Applicant's presently claimed invention. Rejected claims 44 and 45 both depend from 29. Thus, as set forth in MPEP § 2143.03 and *In re Fine*, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.

Therefore since presently rejected claim 44 and 45 both depending from nonobvious independent claim 29, the dependent claims are all nonobvious since the dependent claims will distinguish from the prior art for the same reasons as their respective independent base claims in addition to adding further limitations of their own. Indeed, claims 44 and 45 are allowable by virtue of their dependence. Accordingly, the Applicant respectfully requests that the instant section 103 rejections be withdrawn.

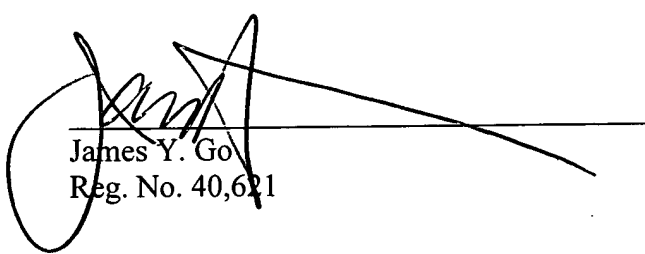
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The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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